

THE AMENDMENTS: **UPDATED TO INCLUDE AMENDMENTS ACTED UPON AT THE AUGUST 13 ORDINANCE COMMITTEE HEARING**

Definitions

1 Hold

2 edited to add the words "**rebuilt or**" after "is". Hold - staff to work on the intent

3 Hold

4 Hold

Purpose and Intent

5 approved as amended

Purpose and Intent to read:

The purpose of this Section is to promote the public good by supporting the development of housing that is affordable to households earning up to 100% of area median income. The intent of this Section is to all **incremental** increased in density, limited increases in height, and relaxation of certain other zoning limitations for residential developments in which all units are made permanently affordable to households earning up to 100% of area median income (referred to as "AHO Projects," as defined in Article 2.000 of this Zoning Ordinance); to incentivize the reuse of existing buildings in order to create AHO Projects that are more compatible with established neighborhood character; to promote the city's urban design objectives (**Article 19.30**) while enabling AHO Projects to be permitted as-of-right, subject to non-binding advisory design consultation procedures **that follow design objectives set forth within this ordinance and the results of the design review process shall inform funding decisions by the Affordable Housing Trust** and to apply such standards throughout the City, to promote city planning goals of achieving greater socioeconomic diversity and a more equitable distribution of affordable housing **and related support services** Citywide.

#5A approved as amended and is incorporated in the above paragraph

Standards for Eligibility, Rent, and Initial Sale Price for AHO Dwelling Units

6

(i) approved as amended by affirmative vote of 8 members. Councillor Simmons recorded as present. It reads as follows:

(i) AHO Dwelling units shall be rented or sold only to AHO Eligible Households, with preference given to Cambridge residents, **and former Cambridge residents who experienced a no-fault eviction in Cambridge in the last 12 months**, in accordance with standards and procedures related to selection, asset limits, and marketing established by the Community Development Department.

(iii) Withdrawn with unanimous consent

(iv) Withdrawn with unanimous consent

Mayor McGovern wanted the staff to explore ways to prevent displacement across the board.

Use

7 Hold

8

- (a) approved to delete new language on a voice vote of 9 members. Language is unchanged from original petition
- (b) Amendment failed 1-8-0. Language is unchanged from original petition.
- (i) Hold

General Provisions

Councillor Kelley moved to amend to add a new subsection (d) An AHO project may only be built on parcels as they existed at the time of ordination of the AHO. Motion failed 2-6-0-1.

Building Height and Stories Above Grade

9 Approved as amended 5-4-0. It reads

(b) BA and BA-2 Zones are to be regarded as "progressive transitional zones." An AHO Project in these zones shall contain no more than six Stories Above Grade and shall have a maximum height of **65** feet, regardless of ground floor use.

- #10 (b) amendment failed 4-5-0
- (i) Amendment carried 9-0-0

#11 Withdrawn with unanimous consent

#12 approved on a voice vote of 9 members.

FAR Limitations in Residential Districts

#13 Referred to Community Development by Mayor McGovern

NOTE amendment on page 22 by Councillor Zondervan was also referred to Community Development by the Mayor.

Density

#14 Referred to Community Development by Mayor McGovern

Yard Setbacks

#15 approved by affirmative vote of 7 members. Councillors Simmons and Toomey recorded in the negative.

#16 amendment failed 4-5-0

#17 amendment failed 4-5-0

Parking and Bike Parking

#17A approved as amended by affirmative vote of nine members. It reads:

(f) Bicycle parking spaces, whether short-term or long-term, and appurtenances structures such as coverings, sheds, or storage lockers may be located within a required yard setback **but no closer than 7.5 feet from an existing residential structure that abuts.**

Open space

#18 amendment approved on an affirmative vote of nine members.

#19 amendment failed 4-4-0-1.

#20 approved as amended by an affirmative vote of 8 members. Councillor Simmons recorded in the negative. It reads:

(c) **All** of the required open space **at grade level** shall meet the definition of Permeable Open Space as set forth in this Zoning Ordinance.

#21 approved as amended by the affirmative vote of nine members. It reads

(i) Shared above grade spaces, such as roof decks or balconies accessible to all tenants may count towards **no more than 25% of the private open space**.

#22 approved by the affirmative vote of 9 members to strike language.

Standards for Existing Buildings

#22A withdrawn with unanimous consent

#23 (a) approved by affirmative vote of 9 members to delete language.

(b) Referred to the Community Development to review language

#23A Note (c) deleted

(d) Withdrawn with unanimous consent

Modifications to Design and Layout Standards for Off-Street Parking

#23B approved as amended by the affirmative vote of nine members. The sections read:

(c) Notwithstanding Paragraph 6.44.1(a), on-grade open parking spaces may be located within 10 feet but not less than **5** feet from a building wall on the same lot or **7.5** feet adjacent lot at the basement or first story without requiring a special permit, provided that such parking spaces are screened from buildings on abutting lots by a fence or dense **year round visual screen** plantings.

(d) Notwithstanding Paragraph 6.44.1(b), on-grade open parking spaces and driveways may be located within 5 feet of a side or rear property line **or within 7.5 feet of an abutting residential structure** without requiring a special permit, provided that screenings provided in the form of **a year round visual screen** plantings at the property line, unless such screening is waived by mutual written agreement of the owner of the lot and the owner of the abutting lot.

Transportation Demand Management

#23C Hold

Site Selection

#24 Failed on a voice vote of seven and Vice Mayor Devereux recorded as present.

Building and Site Design Standards for New Development – General Provisions

NOTE MS. FAROOQ EXPRESSED NEED FOR CDD TO REVIEW THIS SECTION

#25 Motion to move to guidelines carried on an affirmative vote of 9 members.

Mechanical Equipment, Refuse Storage, and Loading Areas

(b) amended to strike out and 'maintained evergreen' and insert **year-round visual screen** and to add at the end of the paragraph the words "**with adjacent planting.**"

(e) do NOT strikeout the words "or screened."

AMENDMENT UPDATES FROM AUGUST 13, 2019

#26 7.2 Site Design and Arrangement (a)

Motion to add "match its street context and" and also to strike "of any combination". Motion carried on an affirmative vote of 8 members. Councillor Simmons was absent. Motion by Councillor Carlone to withdraw failed due to lack of unanimous consent.

#27 7.2 Site Design and Arrangement (c)

Amendment carried on an affirmative vote of 8. Councillor Simmons absent.

#28 7.3 Building Facades (a)

Motion to strike 15% and insert 20% carried on an affirmative vote of 8 members. Councillor Simmons absent. Amendment to strike 25% and insert "30% residential, and 70% retail/active use on the first floor" was put on **HOLD PENDING FEEDBACK FROM CDD.**

#29 7.3 Building Facades (c)

Moved to Amendment # 41.

#30 7.4 Ground Floors (b)

Motion to delete "and/or bicycle storage" and "/bicycle storage" by Councillor Carlone carried on an affirmative vote of 8. Councillor Simmons absent. On the amendment to strike 50% and insert 75% and to add at the end thereof the words "or on the principal street if on a corner lot." The amendment carried on an affirmative vote of 8. Councillor Simmons was absent. **Note: CDD will provide the minimum dimension for a two-way driveway.**

#31 7.4 Ground Floors (d) (ii) and (iii)

Councillor Carlone moved to strike his amendment of 40 feet in (ii). The amendment carried on an affirmative vote of 9 members.

In (iii) Councillor Carlone moved to amend (office/service) to read (office/institutional). The amendment carried on an affirmative vote of 9 members. He further amended (iii) to add at the end the words "on the principal street." The amendment carried on an affirmative vote of 9 members.

#32 7.4 Ground Floors section (e)

Councillor Mallon and Mayor McGovern's amendment was renumbered (f). The amendment carried on an affirmative vote of 8 members. Councillor Toomey was recorded in the negative.

NOTE AT THE END OF THE EXISTING (e) CDD WILL ADD LANGUAGE SIMILAR TO "PRIOR TO THE ISSUANCE OF A BUILDING PERMIT APPLICATION."

33 7.4 Ground Floors section (e)

Councillor Zondervan's amendment to **strike out "and" and insert "or"**. The amendment carried on an affirmative vote of nine members.

#34 7.4 Ground Floors section (e)

Councillor Carlone's amendment to **add the words "50% of the existing frontage"**. The amendment carried on an affirmative vote of 8 members. Councillor Simmons was recorded in the negative.

Councillor Carlone's amendment to **add a new sentence at the end of the paragraph**. Councillor Carlone moved to amend to delete his amendment. The amendment carried on an affirmative vote of 9 members.

#35 7.5 Mechanical Equipment, Refuse Storage, and Loading Areas to amend section (c).

Councillor Carlone's amendment was to add the words **"setback from the façade and"**. The amendment carried on an affirmative vote of 8 members. Councillor Simmons was recorded in the negative. **CDD WILL PROVIDE FEEDBACK ON THE PERCENTAGE.**

Councillor Carlone's amendment to strike out "50%" and insert "75%". The amendment carried on an affirmative vote of 8 members. Councillor Simmons was recorded in the negative.

#36 7.5 Mechanical Equipment, Refuse Storage, and Loading Areas in sections (b) and (c).

(b) Regarding the **first sentence in (b) was placed on HOLD** pending Article 22 amendments to be submitted to the City Council in September which has a definition of Net Zero Ready.

On advice from the City Solicitor the **second sentence in both (b) and (c) were deleted on an affirmative vote of 8 members**. Councillor Simmons record in the negative.

(d) was referred to CDD on August 8, 2019 with #13 and #14.

Councillor Zondervan submitted a motion that was **adopted by an affirmative vote of nine members** as follows:

ORDERED: That the City Manager be and hereby is requested to instruct the staff of the Community Development Department to provide information regarding the cost implications and the definition for net zero ready buildings as it relates to the AHOD ordinance and that said information to include the

issues encountered by affordable housing developers when doing renovations or reconstruction around current utilities and to report back to the City Council with this information so that it can be incorporated into the AHOD petition

#36A 7.5 Mechanical Equipment, Refuse Storage, and Loading Areas in section (d). Vice Mayor made a clerical amendment to her added language to change or to and. **At the conclusion the vote was to seek language similar to that contained in Article 7.20 in place of the amendment offered by Vice Mayor Devereux which will be provided by the City Solicitor. On an affirmative vote of 9 members the motion carried.**

#37 8 Advisory Design Consultation Procedure in section (a).

Councillor Devereux's amendment was to add at the beginning the words **"At least."** Councillor Carlone moved to amend to add the words **"prior to building design phase"** after the word "context."

On an affirmative vote of 9 members the amendments offered by Vice Mayor Devereux and Councillor Carlone were adopted.

Councillor Carlone submitted the following motion:

ORDERED: That the City Manager be and hereby is requested to provide the City Council with information regarding whether public facilities can be used for future meetings related to the AHOD process.

On an affirmative vote of 9 members the motion was adopted.

Amendment # 37 as amended in section (a) reads as follows:

- (a) At least one preliminary planning meeting shall be scheduled at a time and location that is convenient to residents in proximity to the project site. The purpose of this meeting is to share the development team's site and street context analysis prior to building design phase with the community and other interested parties and gain feedback from the neighborhood.

Vice Mayor Devereux moved to amend section (a) further by adding the second sentence in the original section (a) to the amended section (a) as follows:

The Community Development Department (CDD) shall be notified of the time and location of such meeting and shall give notification to each abutting property owner and to any individual or organization who each year files with CDD a written request for such notification, or to any other individual or organization that CDD may wish to notify. On an affirmative vote of 9 members the amendment was adopted.

In the end the **amended (a)** in **Amendment # 37** reads as follows:

- (a) At least one preliminary planning meeting shall be scheduled at a time and location that is convenient to residents in proximity to the project site. The purpose of this meeting is to share the development team's site and street context analysis prior to building design phase with the community and other interested parties and gain feedback from the neighborhood. The Community Development Department (CDD) shall be notified of the time and location of such meeting and shall give notification to each abutting property owner and to any individual or organization who each year files with CDD a written request for such notification, or to any other individual or organization that CDD may wish to notify.

On an affirmative vote of nine members the amendment as amended was adopted. Note the existing sections (a) and (b) were renumbered (b) and (c).

#38 8 Advisory Design Consultation Procedure to add a new 2 on an affirmative vote of 9 members the amendment was adopted. Note #2 and #3 were renumbered as #3 and #4.

#39 8 Advisory Design Consultation Procedure to add a new #4 (renumbered #5). On an affirmative vote of 9 members the amendment was adopted.

#39.1 8 Advisory Design Consultation Procedure to add at the end of #8 (renumbered #9) a new sentence as follows: Chosen points of view to be decided in concert with CDD urban design staff. On an affirmative vote of 9 members the amendment was adopted.

#39A 8 Advisory Design Consultation Procedure to add a new sections #13 and #14 (renumbered #15 and #16)

#13 amended by Vice Mayor Devereux to add at the beginning the words "View shed analysis and". On an affirmative vote of 9 members the amendment was adopted.

#14 Vice Mayor Devereux moved to amend by striking out the words "does not exceed the maximum allowed under Chapter 40B of state law." On an affirmative vote of 9 members the amendment was adopted.

On an affirmative vote of 9 members the amendments as amended were adopted.

#39B 8 Advisory Design Consultation Procedure to amend section (c).

Vice Mayor Devereux on advice from the City Solicitor amended her amendment to strike out the words "and oral" and add after the word "meeting" the words "or oral comments during the meeting". On an affirmative vote of 9 members the amendment was adopted.

The words "as a general business matter" were stricken on suggestion by Ms. Farooq. City Solicitor Glowa will provide the legal language of abutters and refer to where it is codified either in zoning or Chapter 40A.

On an affirmative vote of 9 members the amendment as amended was adopted.

#40 8 Advisory Design Consultation Procedure in section (g).

Councillor Mallon moved to amend the amendment by striking out the words "principal

funder."

On an affirmative vote of 9 members the amendment was adopted.

The amendment as amended was adopted on an affirmative vote of 9 members.

#41 to add a new section 10 entitled Overlay Design Consultation Objective.

This was placed on HOLD.

#41A 9 Implementaton of Affordable Housing Overlay to amend section (a).

Vice Mayor Devereux's motion was to strike out thirty day and insert sixty day.

On an affirmative vote of 9 members the amendment was adopted.

42 to add a new section 11 entitled Review of the Affordable Housing Overlay

**# 43 to add a new section 13 entitled Five Year Affordable Housing Overlay Progress
Report and Review**

43A to add a new section 11 entitled Annual Review Required

WERE REFERRED TO CDD TO PROVIDE LANGUAGE TO COMBINE THE AMENDMENTS

**Sunset Provision in amendment #43A – Councillor Carlone stated that after the language
is received from CDD regarding the prior three amendments this amendment will be
discussed at the next hearing.**